

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

10/15/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

WILLIAM W CLAYTON
KIRSTEN VALENZUELA

v.

EFREN MEDINA (A)

DANIEL B PATTERSON
ALAN ISSA TAVASSOLI

CAPITAL CASE MANAGER
D & C MATERIALS-CSC
EXHIBITS-CCC
VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 29

PENALTY PHASE
MISTRIAL

11:30 a.m. The jury is present in the jury room and resumes its deliberations from October 14, 2008.

12:30 p.m. The jury breaks.

12:45 p.m. The jury resumes deliberations.

12:55 p.m. The Court receives a note from the jury.

1:49 p.m. Court reconvenes. William W. Clayton and Kirsten Valenzuela appears on behalf of the State. Defendant is present with counsel, Daniel B. Patterson and Alan I. Tavassoli.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

10/15/2008

Court Reporter Laura Ashbrook is present.

The jury is not present.

Court and counsel met in chambers for an off-the-record discussion. The Court shared the jury note with counsel which indicated that they are at an impasse. The Court proposed an impasse instruction.

Counsel make a record regarding the proposed impasse instruction.

The Court overrules Defendant's objection to the impasse instruction.

1:55 p.m. Court stands at recess.

2:00 p.m. The written impasse instruction is given to the jury and deliberations continue.

2:10 p.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Laura Ashbrook is present.

The jury is not present.

The Court has received a note from the jury indicating that further deliberations would not be helpful in reaching a verdict.

Scheduling is discussed.

IT IS HEREBY ORDERED setting a scheduling conference before Judge Ryan on October 21, 2008 at 10:00 a.m.

2:16 p.m. The jury is present.

The Court addresses the presiding juror regarding the jury impasse.

The jury is thanked for their service and released from further consideration of this cause.

IT IS HEREBY ORDERED declaring a mistrial for the penalty phase only.

IT IS FURTHER ORDERED resetting the LAST DAY: December 14, 2008 (60 days).

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1993-008378

10/15/2008

IT IS FURTHER ORDERED affirming prior custody orders.

FILED: Jury Note (2); Verdict; Exhibit Worksheet; Trial Worksheet.

2:19 p.m. Trial concludes.

Later:

IT IS HEREBY ORDERED sealing all jury questionnaires and juror information sheets, not to be opened without further court order.

SEALED: Juror questionnaires; Juror contact information sheets.